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**From:** Kupchan, Simma [Kupchan.Simma@epa.gov]  
**Sent:** 7/24/2020 2:33:40 PM  
**To:** Beck, Whitney [beck.whitney@epa.gov]; Eisenberg, Mindy [Eisenberg.Mindy@epa.gov]  
**Subject:** FW: Latest draft of Corps FDEP MOA  
**Attachments:** Draft CWA 404g MOA Between DA and FL DEP - FINAL\_Clean wlo.docx

Oh, and I fixed the issue Whitney flagged. Thanks for the close look, Whitney!

Simma Kupchan  
EPA Office of General Counsel  
Water Law Office  
WJC North Building # 7426Q  
202-564-3105

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**From:** Kupchan, Simma  
**Sent:** Friday, July 24, 2020 10:33 AM  
**To:** Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Hurl, Kathy <Hurl.Kathy@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>; Beck, Whitney <beck.whitney@epa.gov>; Hicks, Matt <Hicks.Matthew@epa.gov>; Nagrani, Kavita <Nagrani.Kavita@epa.gov>  
**Subject:** RE: Latest draft of Corps FDEP MOA

David F has signed off on these edits/ responses and has nothing further to add. Feel free to send to Dave to make sure he's ok with the responses and then shoot to FDEP to review with the Corps.

Simma Kupchan  
EPA Office of General Counsel  
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**From:** Kupchan, Simma  
**Sent:** Thursday, July 23, 2020 4:47 PM  
**To:** Eisenberg, Mindy <Eisenberg.Mindy@epa.gov>; Gettle, Jeaneanne <Gettle.Jeaneanne@epa.gov>; McGill, Thomas <McGill.Thomas@epa.gov>; Calli, Rosemary <Calli.Rosemary@epa.gov>; Laycock, Kelly <Laycock.Kelly@epa.gov>; Hurl, Kathy <Hurl.Kathy@epa.gov>; McDavit, Michael W. <Mcdavit.Michael@epa.gov>; Beck, Whitney <beck.whitney@epa.gov>  
**Cc:** Steven Neugeboren <Neugeboren.Steven@epa.gov>  
**Subject:** RE: Latest draft of Corps FDEP MOA

All,

I have incorporated Dave's suggested edits into the attached MOA. Let me know if you have any questions or comments, and I'll send to David Fotouhi, per Dave's request, right away. Once you all have reviewed, perhaps we can send back to Dave tomorrow and get it to FL asap to share with the Corps?

Simma Kupchan  
EPA Office of General Counsel  
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**From:** Eisenberg, Mindy <[Eisenberg.Mindy@epa.gov](mailto:Eisenberg.Mindy@epa.gov)>

**Sent:** Thursday, July 23, 2020 10:42 AM

**To:** Gettle, Jeaneanne <[Gettle.Jeaneanne@epa.gov](mailto:Gettle.Jeaneanne@epa.gov)>; McGill, Thomas <[Mcgill.Thomas@epa.gov](mailto:Mcgill.Thomas@epa.gov)>; Calli, Rosemary <[Calli.Rosemary@epa.gov](mailto:Calli.Rosemary@epa.gov)>; Laycock, Kelly <[Laycock.Kelly@epa.gov](mailto:Laycock.Kelly@epa.gov)>; Hurlid, Kathy <[Hurlid.Kathy@epa.gov](mailto:Hurlid.Kathy@epa.gov)>; McDavit, Michael W. <[Mcdavit.Michael@epa.gov](mailto:Mcdavit.Michael@epa.gov)>; Beck, Whitney <[beck.whitney@epa.gov](mailto:beck.whitney@epa.gov)>; Kupchan, Simma <[Kupchan.Simma@epa.gov](mailto:Kupchan.Simma@epa.gov)>; Wade, Alexis <[Wade.Alexis@epa.gov](mailto:Wade.Alexis@epa.gov)>

**Subject:** FW: Latest draft of Corps FDEP MOA

Hi,

Passing along Dave's feedback on the Corps MOA, and see his question. Do you want me to reach out to Army or do you think the district would be open to make these conforming edits as Dave recommends?

Thanks!

Mindy Eisenberg

Associate Director, Oceans, Wetlands & Communities Division

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1200 Pennsylvania Ave., NW, mailcode 4504T

Washington, DC 20460

(202) 566-1290

[eisenberg.mindy@epa.gov](mailto:eisenberg.mindy@epa.gov)

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**From:** Ross, David P <[ross.davidp@epa.gov](mailto:ross.davidp@epa.gov)>

**Sent:** Thursday, July 23, 2020 10:05 AM

**To:** Eisenberg, Mindy <[Eisenberg.Mindy@epa.gov](mailto:Eisenberg.Mindy@epa.gov)>

**Cc:** McDonough, Owen <[mcdonough.owen@epa.gov](mailto:mcdonough.owen@epa.gov)>; Goodin, John <[Goodin.John@epa.gov](mailto:Goodin.John@epa.gov)>; Fotouhi, David <[Fotouhi.David@epa.gov](mailto:Fotouhi.David@epa.gov)>; Walker, Mary <[walker.mary@epa.gov](mailto:walker.mary@epa.gov)>

**Subject:** RE: Latest draft of Corps FDEP MOA

Confidential/Deliberative

Thanks Mindy.

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Please work with Stacey on these issues, and check in with Fotouhi to get his reactions as well.

Thanks.

Dave

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**From:** Eisenberg, Mindy <[Eisenberg.Mindy@epa.gov](mailto:Eisenberg.Mindy@epa.gov)>

**Sent:** Tuesday, July 21, 2020 11:50 AM

**To:** Ross, David P <[ross.davidp@epa.gov](mailto:ross.davidp@epa.gov)>

**Cc:** McDonough, Owen <[mcdonough.owen@epa.gov](mailto:mcdonough.owen@epa.gov)>; Goodin, John <[Goodin.John@epa.gov](mailto:Goodin.John@epa.gov)>

**Subject:** Latest draft of Corps FDEP MOA

Hi Dave,

Just got this from R4 – a clean version and track changes from the Corps.

Mindy

Mindy Eisenberg

Associate Director, Oceans, Wetlands & Communities Division

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